

VZCZCXYZ0000
OO RUEHWEB

DE RUCNDT #2141/01 3150112
ZNY CCCCC ZZH
O 110112Z NOV 06
FM USMISSION USUN NEW YORK
TO SECSTATE WASHDC IMMEDIATE 0725

C O N F I D E N T I A L USUN NEW YORK 002141

SIPDIS

SIPDIS

E.O. 12958: DECL: 11/10/2016
TAGS: [PREL](#) [UNSC](#) [IS](#)
SUBJECT: UNSC: REQUEST FOR INSTRUCTIONS -- GAZA RESOLUTION

REF: STATE 185573

Classified By: Classified by Amb. John R. Bolton. E.O 12958. Reasons 1.
4 (B&D).

¶1. (C) The Qatari sponsors of a resolution on the recent events in Gaza have put its draft into Blue for a vote now scheduled for November 11 at 12:00 noon. Though the original draft text has undergone two revisions in as many days, the current text remains unacceptable. Notwithstanding experts' suggestions, the text remains unbalanced, retains emotionally-charged language, and prescribes the establishment of an unnecessary "fact-finding mission" and "an international mechanism for the protection of the (Palestinian) civilian populations" the details of which are not well thought out. Retention of preambular language characterizing Israeli actions as "disproportionate" constitutes an allegation that those Israeli actions were illegal. USUN recommends that the U.S. veto this draft resolution.

¶2. (C) USUN believes that the current text has at least nine supporters: Qatar, France, Greece, Russia, China, Congo, Ghana, Tanzania, and Argentina. Two countries -- Denmark and UK -- will abstain. Three countries -- Peru, Slovakia and Japan -- are uninstructed, though Slovakia and Japan seem to be leaning toward abstention. With nine votes in favor, the resolution will pass unless the U.S. exercises a veto.

¶3. (C) USUN requests voting instructions and an Explanation of Vote (EOV) text for the November 11 Security Council meeting.

¶4. (U) Text of Qatari Draft Resolution follows:

The Security Council,

Reaffirming its previous resolutions 242 (1967), 338 (1973), 446 (1979), 1322 (2000), 1397 (2002), 1402 (2002), 1403 (2002), 1405 (2002), 1435 (2002), 1515 (2003), and 1544 (2004),

Reaffirming the applicable rules and principles of international law, including humanitarian and human rights laws, in particular the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949,

Expressing its grave concern at the continued deterioration of the situation on the ground in the Palestinian Territory occupied by Israel since 1967, during the recent period, particularly as a result of the excessive and disproportionate use of force by Israel, the occupying Power, which has caused extensive loss of civilian Palestinian life and injuries, including among women and children,

Condemning the military operations being carried out by Israel, the occupying Power, in the Gaza Strip, in particular

the attack that took place in Beit Hanoun on 8 November 2006, which have caused loss of civilian life and extensive destruction of Palestinian property and vital infrastructure,

Condemning also the firing of rockets from Gaza into Israel,

¶1. Calls upon Israel, the occupying Power, to immediately cease its military operations that endangers the Palestinian civilian population in the Occupied Palestinian Territory, including East Jerusalem, and to immediately withdraw its forces from within the Gaza Strip to positions prior to 28 June 2006;

¶2. Calls for an immediate halt of all acts of violence and military activities between the Israeli and Palestinian side as s agreed in the Sharm El-Sheikh understandings of 8 February 2005;

¶3. Requests the Secretary-General to establish a fact-finding mission on the attack that took place in Beit Hanoun on 8 November 2006 within thirty days;

¶4. Calls upon Israel, the occupying Power, to scrupulously abide by its obligations and responsibilities under the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949;

¶5. Calls upon the Palestinian Authority to take immediate and sustained action to bring an end to violence, including the firing of rockets on Israeli territory;

¶6. Emphasizes the need to preserve the Palestinian institutions, infrastructure and properties;

¶7. Expresses grave concern about the dire humanitarian situation of the Palestinian people and calls for the provision of emergency assistance to them;

¶8. Calls upon the international community, including the Quartet, to take immediate steps, to stabilize the situation and restart the peace process, including through the possible establishment of an international mechanism for protection of the civilian populations;

¶9. Calls upon the parties supported by the international community to take immediate steps including confidence-building measures, with the objective of resuming peace negotiations;

¶10. Stresses the importance of, and the need to achieve, a just, comprehensive, and lasting peace in the Middle East, based on all its relevant resolutions including its resolutions 242 (1967), 338 (1973), 1397 (2002) and 1515 (2003), the Madrid terms of reference, the principle of land for peace, the Arab Peace Initiative adopted by the League of Arab States Summit in March 2002 in Beirut, and the Roadmap.

¶11. Requests the Secretary-General of the United Nations to report back to the Security Council on the implementation of this resolution in a timely manner;

¶12. Decides to remain seized of the matter.
BOLTON